



3631

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson, M.D.

Serial No: 10/098,683

Filed: March 15, 2002

For: SPINAL IMPLANT CONTAINING BONE
MORPHOGENETIC PROTEIN

(Art Unit: 3631)

(Examiner: U. Ho)

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GROUP 3600

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

No additional fee is required.
 Applicant hereby requests a ***-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	TECHNOLOGY CENTER R3100	MAIL FEE DUE
TOTAL CLAIMS FEE	25	-	25	**	0	LG=\$18 SM=\$9	\$18
INDEPENDENT CLAIMS FEE	1	-	3	***	0	LG=\$84 SM=\$42	\$84
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140	\$
							TOTAL \$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

A check in the amount of \$____ to cover the additional claims fee is enclosed.
 A check in the amount of \$____ to cover the ***-month extension of time fee is enclosed.
 The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.
 Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
 Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

Date: May 1, 2002
 By:
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PATENT
Attorney Docket No. 101.0042-05000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary Karlin Michelson, M.D.)
Serial No. 10/098,683) (Group Art Unit: 3731)
Filed: March 15, 2002) (Examiner: U. Ho)
For: SPINAL IMPLANT CONTAINING)
BONE MORPHOGENETIC PROTEIN)
(as amended))

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT

Prior to the examination of the above-identified application, the following
amendments and remarks are submitted:

IN THE SPECIFICATION:

Please amend the specification (with the changes as shown in the attachment)
to read as follows:

Page 1, paragraph 1:

--This is a continuation of application Serial No. 09/563,705, filed May 2,
2000; which is a continuation of application Serial No. 09/126,585, filed July 31,
1998, now U.S. Patent No. 6,136,001; which is a continuation of application
Serial No. 08/926,334, filed September 5, 1997, now U.S. Patent No. 6,120,503;
which is a continuation of Serial No. 08/589,787, filed January 22, 1996; which is
a continuation of 08/219,626, filed March 28, 1994; all of which are incorporated
herein by reference.--.

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